

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY MAY 2, 2005

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, May 2, 2005, at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Ballew, Ralston, and Pishioneri. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Councilors Fitch and Woodrow were absent (excused).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. Recognition of Todd Schwartz for Fifteen Years of Service to the City of Springfield.

City Manager Mike Kelly recognized Todd Schwartz for his fifteen years of service in the Fire and Life Safety Department of the City of Springfield with the presentation of a plaque. Mr. Kelly said Mr. Schwartz had been involved in the community in a number of ways. Mr. Kelly discussed Mr. Schwartz's many accomplishments and his memories with the city.

2. Recognition of Wayne Pearson for Fifteen Years of Service to the City of Springfield.

City Manager Mike Kelly recognized Wayne Pearson for his fifteen years of service in the Fire and Life Safety Department of the City of Springfield with the presentation of a plaque. Mr. Kelly noted the many accomplishments of Mr. Pearson and the committees he had served during his time with the city. He noted some of the changes Mr. Pearson had noted over the past fifteen years and his many memories of his years with the city. Mr. Kelly noted some of the humorous events Mr. Pearson had recalled.

3. Recognition of Michael Hundt for Fifteen Years of Service to the City of Springfield.

City Manager Mike Kelly recognized Michael Hundt for his fifteen years of service in the Fire and Life Safety Department of the City of Springfield with the presentation of a plaque. Mr. Kelly noted the many accomplishments of Mr. Hundt and the Medal of Honor he received for the rescue of two small children from a fire in Springfield several years ago.

4. Recognition of Laurie Monico for Fifteen Years of Service to the City of Springfield.

City Manager Mike Kelly recognized Laurie Monico for her fifteen years of service in the Fire and Life Safety Department of the City of Springfield with the presentation of a plaque.

Mr. Kelly noted the many accomplishments of Ms. Monico and her role in assisting with the Physical Education information in the Fire Department. He recalled some of the humorous events during Ms. Monico's tenure and some of her memories of her fifteen years of service.

Mayor Leiken agreed that it was important to acknowledge staff for their years of service. He noted his pride in Springfield's staff.

5. Armed Forces Week Proclamation.

Mayor Leiken proclaimed May 15-21, 2005, Armed Forces Week. He thanked all the citizens of Springfield that had served our country and acknowledged the councilors who had served their country. He asked everyone in the community to join him in this proclamation.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO APPROVE THE CONSENT CALENDAR WITH ITEM 3.A. REMOVED. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW)

1. Claims

2. Minutes

- a. March 21, 2005 – Work Session
- b. March 21, 2005 – Special Regular Meeting

3. Resolutions

- b. RESOLUTION NO. 05-19-21 – A RESOLUTION OF THE CITY OF SPRINGFIELD COMMON COUNCIL APPROVING THE ISSUANCE OF REVENUE BONDS BY THE METROPOLITAN WASTEWATER MANAGEMENT COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

4. Ordinances

- a. ORDINANCE NO. 6127 – AN ORDINANCE CREATING THE METROPOLITAN WASTEWATER MANAGEMENT COMMISSION AS AN INTERGOVERNMENTAL ENTITY; DECLARING AN EMERGENCY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

***Ordinance Enactment and Effective Date:** In the event an ordinance contains an emergency clause, the ordinance shall become operative immediately upon passage by the council by a two-thirds majority of all members of the council. Ordinances not containing an emergency clause shall not take effect until 30 days after its passage.*

5. Other Routine Matters

- a. Approval of Liquor License Endorsement for Target Store T-0612, Located at 2750 Gateway Street, Springfield, OR.

- b. Approval of Liquor License Endorsement for Star of Siam, Thai Cuisine, Located at 602 Main Street, Springfield, OR.
- c. Approval of Liquor License Endorsement for 535 Club Rock and LaRoca Restaurant, Located at 535 Main Street, Springfield, OR.

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 3. a. RESOLUTION NO. 05-~~20-22~~ – A RESOLUTION OF THE CITY OF SPRINGFIELD AMENDING AND RESTATING THE CITY OF SPRINGFIELD, OREGON RETIREMENT PLAN.

Human Resources Manager Ardis Belknap said the purpose of the resolution was to modify the city's plan to reflect all of the benefits that are afforded the employees at the time of their retirement plan in the city's retirement plan for Emergency Services employees that are outside of Public Employee Retirement System (PERS). She said the issue of retesting of the city's retirement plan to prove it was equal or better than PERS had been discussed during a previous work session. In order for the test to be as accurate as possible, all of the fringe benefits afforded employees who retire needed to be reflected in the plan. She explained why this change was important for the test. She said no new benefits were being added.

Councilor Ralston asked if there was a cost associated with this change.

Ms. Belknap said there was no cost. The cost would come if we did not roll the benefits into the plan and the city did not comply with the test.

Councilor Ralston asked if PERS was a more expensive plan.

Ms. Belknap said they would find out when tested. The city was required by law to pass the test. When the city was tested in 1991, the city had to modify the plan to make it richer to be equal to PERS. At that time the city was tested against Tier 1 PERS. This year the city would be tested against the new PERS plan, and staff anticipated the city would do well. The results would show how the city compared with all benefits to PERS. Each of the benefit areas had to be at least eighty percent of PERS. Overall, the benefits had to be one hundred percent of PERS.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO APPROVE ITEM 3.A, RESOLUTION NO. 05-~~2022~~. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW)

PUBLIC HEARINGS - **Please limit comments to 3 minutes. Request to speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.**

- 1. 2005 Eugene-Springfield Consolidated Plan and Fiscal Year 2005-2006 One-Year Action Plan of the Eugene-Springfield Consolidated Plan for Housing and Community Development (Springfield Section)

RESOLUTION NO. 05-~~21~~23 – A RESOLUTION APPROVING THE EUGENE-SPRINGFIELD CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT FOR SUBMISSION TO THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Housing Program Specialist Kevin Ko presented the staff report on this item. The cities of Eugene and Springfield are required to submit a new five-year Consolidated Plan, effective July 1, 2005 and expiring June 30, 2010. The Five Year Eugene-Springfield Consolidated Plan is a requirement of the federal government and is necessary for Eugene and Springfield to continue receiving funding from HUD. One Year Action Plans must be submitted to HUD each year and are designed to indicate how communities intend to fulfill the priorities established in the Consolidated Plan.

The FY2005-06 One Year Action Plan includes the one-year funding allocations and proposed activities and must be approved by both the City of Springfield and City of Eugene prior to submission to HUD. The Springfield section of the document (less fund allocations) was available for a thirty-day review and comment period ending May 2, 2005. Oral testimony may be provided at a public hearing before the council on May 2, 2005. The Eugene section of the Plan is being adopted separately by the Eugene City Council. The combined Eugene-Springfield One Year Action Plan is due to HUD on May 13, 2005.

The One Year Action Plan is an annual supplement to the five-year Eugene-Springfield Consolidated Plan. The Action Plan includes the CDBG (Community Development Block Grant) and HOME funding allocations for the fiscal year 2005-2006. The Consolidated Plan is a required document that is submitted to HUD every five years. The Consolidated Plan identifies community housing and development needs and provides a plan for addressing these needs. The Consolidated Plan must be accepted by HUD in order for Springfield and Eugene to continue to receive CDBG and HOME funding. The new 2005 Consolidated Plan is effective July 1, 2005 and expires on June 30, 2010. The City of Springfield receives CDBG funds as an entitlement community and HOME funds as a participant in a consortium agreement with the City of Eugene. CDBG funds are awarded to communities who carry out community development activities directed towards neighborhood revitalization, economic development, and the provision of improved community facilities and services. HOME funding is a housing block grant program allocated to communities to be used for housing rehabilitation, new construction, acquisition and tenant based rental assistance activities.

Mr. Ko said the Plan was based on the 2000 census data, whereas the 2000 Plan was based on the 1990 census, making this quite current. He said the most significant change was the minority concentrations that Springfield had now compared to the 2000 Plan. That was addressed in the Consolidated Plan. The public hearing also included the One-Year Action Plan. He asked council to open the public hearing and receive testimony on the Consolidated Plan and the One-Year Action Plan. The Consolidated Plan needed approval by council resolution and the One-Year Action plan needed approval by council vote.

Councilor Ralston asked if this was funding that Eugene and Springfield received and divided.

Mr. Ko said the HOME funds were received through the Eugene/Springfield HOME Consortium with Eugene receiving seventy percent of the funds and Springfield receiving thirty percent of the funds. He said Springfield was an entitlement community, and received CDBG Funds directly

from HUD. Those funds are based on population. A study was done several years ago which showed that Eugene had a population slightly more than seventy percent of the total metro area.

Mayor Leiken referred to page 8 of the Consolidated Plan which stated that "Population will continue to grow but at a lower percentage than in previous years". He asked if that statement included the metropolitan area. That was correct. Mayor Leiken said the outlining communities had an expectation of growing more in the area of housing.

Mr. Ko said that was correct.

Mayor Leiken opened the public hearing.

Mr. Ko presented a letter from Karl Jentsch, P.O. Box 1361, Springfield, OR for the record.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 05-~~21~~23. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW)

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO APPROVE THE ONE-YEAR ACTION PLAN. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW)

2. Proposed Resolution Setting Local and Regional Sewer User Fees.

RESOLUTION NO. 05-~~22~~24 – A RESOLUTION OF THE CITY OF SPRINGFIELD
COMMON COUNCIL SETTING LOCAL AND REGIONAL SEWER USER FEES AS
SET FORTH IN THE SPRINGFIELD MUNICIPAL CODE.

Environmental Services Supervisor Gary Colwell presented the staff report on this item. At the council's April 25th work session, staff presented three user rate options and discussed their impact on the FY 05-06 budget as well as the unmet sanitary and drainage capital funding needs of the city. After discussing the options, the council recommended an option to take to public hearing on May 2, 2005.

The option recommended would increase support for sanitary sewer and storm drainage capital projects by \$290,000 and \$110,000 respectively in FY 05-06.

The council has discussed the issue of unmet capital funding needs and how to meet them during four recent work sessions. At the last two, on March 28 and April 25, 2005, the council discussed the use of sanitary and drainage user rates to meet a portion or all of the unmet capital needs. The three user rate options discussed at the April 25th work session were; 1) Hold rates at their current level. The revenue from the current user fees, adopted in May, 2004 is sufficient to meet operating and capital expenses in the proposed FY 05-06 budget; 2) Increase support for sanitary sewer and storm drainage capital projects by \$290,000 and \$110,000 respectively in FY 05-06. Together with a similar increase in FY 06-07, sewer and storm drainage capital needs would be

fully met; and 3) Increase support for sanitary sewer and storm drainage capital projects by \$580,000 and \$220,000 respectively in FY 05-06 to fully meet sanitary sewer and storm drainage capital needs.

In recommending option 2), the council expressed the sentiment that this option would allow time to consider system development charge changes that might meet some of the remaining unmet capital needs.

The council was also informed that the Metropolitan Wastewater Management Commission conducted a public hearing and adopted a six percent increase in regional rate at their April 21, 2005 meeting. The new regional sanitary sewer rates would be included in the schedule of user rates to be considered on May 2, 2005.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 05-~~2224~~. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW)

3. Annexation of 3.62 Acres of LDR/UF10 Zoned Property to the City of Springfield (Journal Number LRP2005-00004).

RESOLUTION NO. 05-~~23-25~~ – A RESOLUTION INITIATING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD AND REQUESTING THAT THE LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISISON APPROVES THE ANNEXATION.

City Planner Sarah Summers presented the staff report on this item. The applicant/owners have requested annexation of 3.62 acres of property located at 3971 Jasper Road. The site currently contains one residence. The purpose of the annexation is to allow the development of a Low Density Residential (LDR) subdivision.

The City Council is authorized by ORS 199.490(2)(a)(B) to initiate annexation upon receiving consent in writing from a majority of the electors registered in the territory to be annexed and the owners of more than half of the land to be annexed. Consent from the property owners has been given, and the owners are the only current registered voters on the property.

The tax lot contains a residence and an outbuilding. The applicant plans to subdivide the property into an area for temporary storm water detention and eighteen single family residential lots. The properties are within the urban growth boundary (UGB) and are adjacent to the Springfield City Limits. The city can ensure a minimum range of key urban services including but not limited to police, fire protection, library, parks and recreation, storm sewers, sanitary sewer and schools. The residence is currently on well water and a septic system. The Springfield Utility Board (SUB) will serve the site, and the existing house will connect to city sewer upon annexation and

development of the subdivision. The City Council Resolution will be forwarded to the Lane County Local Government Boundary Commission.

Councilor Ralston discussed the area south and east of Jasper Road and if the city expected to see a pattern of these properties annexing in to the city.

Ms. Summers said that could become the pattern. Jasper Road had been annexed into the city and there were sewer and water services along Jasper Road at least as far as 42nd Street. She said the area just east of the site discussed tonight had submitted an annexation application.

Councilor Ralston said to the west there were a number of houses outside the city limits. He asked if they were on sewer or septic.

Ms. Summers said they were all on septic as they were county property.

Councilor Ralston said it would be beneficial to have them annexed into the city.

Councilor Ballew asked if there was a sewer line in Jasper Road that was functioning. Yes.

Councilor Ballew asked if those properties would be hooked to the sewer system once they subdivided and built.

Ms. Summers said they would be hooked to the sewer. Once the property was annexed into the city and the subdivision was approved, the infrastructure would include hooking to the sewer along 42nd Street and all the houses would have stubs to them from them to the street. The sewer would be part of the subdivision.

Councilor Ralston asked if properties along the south side of Jasper Road would be required to annex if they requested to subdivide and build. Yes. He asked why the other neighborhoods in that area were not required to annex when they were built.

Mr. Kelly said those housing developments were put in before the city limits were even close to that area. The city had now inherited those subdivisions. Those homes are on septic tanks and most of these property owners do not have problems with their septic. If these homes were inside the city and were within 300 yards of the sewer, they would be required to connect.

Councilor Lundberg said we didn't have a sewer line until the 42nd Street improvements and hooking to the sewer was not an option prior to the construction of that line.

Mr. Kelly said the closest sanitary sewer was Main Street when those homes were built.

Mayor Leiken asked about a large parcel that was close to this property. He asked what that property was zoned.

Ms. Summers said it was zoned light density residential (LDR). That property had recently submitted a subdivision application.

Mayor Leiken asked if these properties could be included in some type of improvement district requiring them to pay for additional streets.

Councilor Pishioneri asked if the property discussed was Tax Lot 4800.

Ms. Summers said the size of that property was about twenty-three acres.

Councilor Pishioneri asked about a road that was ready to go into Tax Lot 4800 and if the two properties were partners.

Ms. Summers said they were not partners. The application before council now came in first and the other property owner negotiated to have the first property owner buy a smaller area, but it didn't work out.

Mr. Kelly said that was an issue planning must deal with regarding these out of city properties. It was difficult to come up with a street pattern for some of these properties because of property lines and plans of other property owners. These irregular lot development patterns were allowed to develop on the fringes of the city through Lane County code years ago.

Councilor Ballew referred to the map and a tax lot to the south of the property. She asked if that was within the UGB. Yes. She asked about getting a road through that property.

Ms. Summers said there was a road already on that property.

Supervising Civil Engineer Ken Vogeney referred to Attachment 3 in the Agenda Packet. He said staff was currently talking with the property owner of the property immediately to the east of the subject property in terms of an annexation agreement. Part of the annexation agreement requirements would be to extend Filbert Lane south to his property to connect to the street shown on Attachment 3-2 and also at Richland Avenue.

Mayor Leiken recalled his first council meeting that included discussion regarding a rezone and an improvement district. He said the benefit of this site was that it was already zoned LRD.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 05-~~23~~25. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW).

BUSINESS FROM THE AUDIENCE - Limited to 20 minutes. Please limit comments to 3 minutes. Request to Speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.

1. Terry Lewis, 562 Colonial Drive, Springfield, OR. Mr. Lewis said his property backs up to Beltline Road. He said the government pays too much for everything, but even at that

\$900,000 is not much to pay for a multi-million dollar project. Ascetically, the soundwall the neighbors were proposing along Beltline Road would look good with years to come with little or no maintenance, as opposed to the \$30,000 cedar fence which staff proposed. A cedar fence would look better for a short period of time, but then would start to deteriorate and would cost more to repair. He said it was brought to the attention of the neighbors that money was allocated for a soundwall on the north side of Beltline. This would cut the costs considerably because the soundwall on the north side is longer than the soundwall on the south side. He said the Register Guard stated that the soundwall on I-105 cost \$1M per mile, and he was not sure why this proposed soundwall would cost more. He said he had talked with neighbors near the I-105 soundwall and they had told him the soundwall was very effective and a big improvement. He said a soundwall would be a great look for the Gateway to Springfield from North I-5 as well as give the neighborhood piece of mind. He said it was a small price to pay for a big project. He said they were told soundwalls were only put on new streets, but that was not true. He cited examples. Most of the houses on Colonial Drive were built before Beltline Road existed. He discussed the years the homeowners have lived on Colonial Drive. He said they were homeowners and tax paying citizens unlike Sony who came into the neighborhood tax free for ten years. He said they were told when the extension was to be built, the property where the hospital is to be built was to be low density residential (LDR). He said they were not concerned about soundwalls, but with the hospital there would be more traffic, including truck traffic. The hospital would also bring ambulance service, doctor offices, medical buildings and other offices along this road. He said the hospital was the great portion of the problem and if the city couldn't pay for soundwalls, the hospital should be asked to help pay.

2. Tom Lindly, 541 Colonial Drive, Springfield, OR. Mr. Lindly submitted a petition signed by over twenty-five people from Colonial Drive regarding this soundwall. He said the letter covered some of the issues discussed during the work session. He said currently there were no trucks allowed on Game Farm Road, but once construction began, that would change. Those trucks would be coming along Beltline Road. He said some of the concrete pourers were going to be allowed to begin at 5:30 a.m. Based on the location of the concrete and gravel companies, all of those materials would be coming up Beltline. He suggested putting the construction road along the south side of the MLK Parkway since that area would have soundwalls. He said the old Sony facility would also be an issue because of the increased number of employees working the same shift, rather than alternating shifts. He said with all of the factors he mentioned, there would be a significant increase in traffic and noise. He said there are not many other roads in Springfield with this volume of truck traffic. He said the work being done at RiverBend and the MLK Parkway was being done in the name of progress with no consideration of the residents in the area. He said everyone was taken into consideration except those that lived in the area. He appreciated the idea that the city would be monitoring the area for sound in the next year, but felt it should be done now, as it would show a higher decibel rating.
3. Kathleen M. Hastings, Prosperity Phone Services, 2140 Main Street, Springfield, OR. Ms. Hastings said she was part of management of this company. She distributed packets to the Mayor and council. She referred to a complaint regarding an animal that she and her coworkers felt was being abused across the street from her work. She discussed the issue of the dog being tied up every day, all day. The Animal Control person came by when the dog was not chained, but the dog was chained up following that. She said the dog had not been fed and given water by its owner. She discussed the abuse and the number of complaints to

Animal Control regarding this dog. She said she had never had to complain to an Animal Control officer in her life. She said that after she had made several calls, the Animal Control officer told her that she would be charged with harassment if she continued to call. Ms. Hastings said she then contacted the Police Department and spoke with Sergeant McCarthy. He suggested she make up a complaint with some signatures. She did file a complaint with twenty-five signatures from people in the neighborhood and her business. She said nothing had been done and she had no response from Animal Control. She said this was causing her and the other employees much distress as they see this dog every day from their office. She said video had been taken of this dog that she would share. She asked the council to look into this situation. She said no one had called from the Police Department.

COUNCIL RESPONSE

Mayor Leiken said he was impressed with the documentation from Ms. Hastings. He noted that Chief Smith had received a copy of her correspondence and would contact her regarding this matter.

Ms. Hastings said her phone number was on the materials and she would be happy to assist in any way possible.

Mayor Leiken asked Chief Smith to report back to council on this issue.

CORRESPONDENCE AND PETITIONS

1. Correspondence from Pat Farr, Executive Director, FOOD for Lane County, 770 Bailey Hill Road, Eugene, OR Regarding Recommendation for New City Manager.
2. Correspondence from Nancy Golden, Superintendent, Springfield Public Schools, 525 Mill Street, Springfield, OR Regarding Recommendation for New City Manager.
3. Correspondence from John Thomas, Pacific Benefits Consultants, Inc., 450 Country Club Road, Suite 330, Eugene, OR Regarding Recommendation for New City Manager.
4. Correspondence from Karl Jentzsch, P.O. Box 1361, Springfield, OR Regarding Council's Community Development Block Grant Funds Allocation Decision.
5. Correspondence from Joyce Ziegler, 37875 Jasper Lowell Road, Jasper, OR Regarding the Intersection at 42nd Street and Jasper Road.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR BALLEW TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST (2 ABSENT – FITCH AND WOODROW).

BIDS

ORDINANCES

1. An Ordinance Concerning Sanitary Sewer Charges Including Rates and Amending Section 4.206 of the Springfield Municipal Code.

ORDINANCE NO. 2 – AN ORDINANCE CONCERNING SANITARY SEWER CHARGES INCLUDING RATES AND AMENDING SECTION 4.206 OF THE SPRINGFIELD MUNICIPAL CODE. (FIRST READING)

Environmental Services Supervisor Gary Colwell presented the staff report on this item. Section 4.206 of the Springfield Municipal Code specifies how volume based sanitary sewer rates shall be determined. During the months of December through April, sewer rates shall be based on actual metered water consumption. During the months of May through November, sewer rates shall be based on the average of the December through April metered water consumption. For years, the actual practice during the months of May through November has been to base sewer rates on the average of the December through April metered water consumption or the actual metered water consumption, whichever is least. Staff proposes amending Section 4.206 of the Springfield Municipal Code to bring the code into line with practice

The use of the average of December through April metered water consumption to compute sanitary sewer fees is based on the premise that water usage during the winter months goes down the sewer while many people begin irrigating gardens and lawns in May. The intent was to not charge sewer fees for water being used for other uses such as irrigation. There was never any intent to charge for more than was discharged to the sewer.

NO ACTION WAS TAKEN ON THIS ITEM. FIRST READING ONLY.

BUSINESS FROM THE CITY COUNCIL

1. Business from Council

- a. Councilor Ralston said Brattain Elementary students had signed a letter thanking council for their support for funding for their playground. The letter was submitted into the record.

Councilor Ralston said Eugene was going to appoint another representative to the Lane Regional Air Pollution Authority (LRAPA) Board. The Board did approve that Springfield was in line to appoint another person. The difference would be that the council would appoint the Eugene representative and Springfield's representative would be an at-large position. He asked for interested parties. He discussed some of the issues LRAPA would be handling.

Mayor Leiken asked how much Springfield contributed to LRAPA. They contribute \$50,600. He asked if LRAPA would be able to survive if Springfield pulled their funding.

Councilor Ralston said they would probably be able to go on, but it would be difficult. He discussed their budget and how frugal they are with their funds. He discussed the Department of Environmental Quality (DEQ) and that he felt they should help to fund LRAPA because LRAPA saves the DEQ money. He noted that when fines were paid, Lane County collected those fees and kept it rather than giving it back to LRAPA. He said he felt that money should go back to LRAPA.

Mayor Leiken asked City Attorney Joe Leahy about the intergovernmental agreement (IGA) between the city and LRAPA.

Mr. Leahy said there was an IGA between the city and LRAPA and he had reviewed that agreement with respect to the membership question.

Mayor Leiken asked what would happen if the city withdrew its association with LRAPA. He said there could be a change in the state legislature regarding the make-up of the board.

Mr. Leahy said he did not know the answer about how the city could withdraw. He said the membership by-laws mirror the state statute.

Councilor Ralston said they could petition state legislatures to change that, but this was occurring now.

- b. Councilor Pishioneri complimented Ms. Pappas on her presentation at the Springfield Tomorrow meeting. He said it was very thorough and staff was ready to respond to questions.

BUSINESS FROM THE CITY MANAGER

BUSINESS FROM THE CITY ATTORNEY

Mr. Leahy asked if the Mayor would like a memo regarding disengagement from LRAPA.

Mayor Leiken said he would like a memo showing the process and issues. He discussed his past experience with the DEQ.

Councilor Ralston said there was so much anti-business locally that if there was no local control, DEQ could come down harder than LRAPA.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder